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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,439	05/22/2001	Yihui Deng	DEQI-0002-US	8136

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EXAMINER

AILES, BENJAMIN A

ART UNIT PAPER NUMBER

2142

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/856,439

Applicant(s)

DENG, YIHUI

Examiner

Benjamin A Ailes

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTQ-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-40 have been examined.

Priority

2. The papers required in order to receive an earlier effective filing date have been received. The effective filing date for the subject matter defined in the pending claims in this application is 11/23/1998.

Drawings

3. The Examiner contends that the drawings submitted on 05/22/2001 are acceptable for examination proceedings.

Specification

4. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "Based on the IP technology, the information and service business..." (see Background, para. 3). "The unique data format, said above, can be the IP protocol data or other protocols data (see Invention summary, para. 6).
5. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. A statement stating that it contains no new matter must accompany the substitute specification filed.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Regarding claims 6, 8, 15, 19, 24, 32, and 34, the phrase "etc" renders the claim indefinite because it is unclear what the limitation(s) accompanying the phrase could be. See MPEP § 2173.05.

9. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. The following are two examples.

10. For example claim 1: "...receiving the unified format data come from the access unit,..." and "...are connected with each other for data transmission and providing service."

11. For example claim 28: "...selects adequate middleware for each service requirement proposed by user, who has passed the authentication and returns the processing result to user."

12. For example claim 5: "...wherein said service processing includes the processing of user requirement, which corresponds to different type of service and service provided by different service provider."

13. For example claim 12: "...the VDM transforms DTMF signal come from telephone, to a unified data format and requirement and the processing result to voice returning to the user..."

14. Claim 7 recites the limitation "...charge standard..." in line 7. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

16. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (U.S. Patent Number 5,958,016), hereinafter referred to as Chang et al.

17. Regarding claims 1 and 28, Chang et al. teach an integrated information service platform, comprising:

- An access unit, connecting with user terminal through transmission network...
(col. 5, lines 3-15 and 49-51)
- A management unit, managing and controlling the operation of every part of the platform system with an identified interface... (col. 5, lines 47-53).

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- An application unit, including at least one middleware, which is used to execute processing function... (col. 5, lines 47-61).
- Wherein the said access unit, management unit and application unit are connected... (col. 4, line 59 – col. 5, line 61).

18. Regarding claims 2 and 29, in accordance with claims 1 and 28, respectively, Chang et al. teach the use of the Internet (col. 4, lines 45-49).

19. Regarding claim 3, in accordance with claim 2, Chang et al. teach the use of middleware (col. 7, lines 29-42).

20. Regarding claims 4 and 30, in accordance with claims 3 and 29, respectively, Chang et al. teach processing related to the access terminal including mutual communication with user terminal, reception data and transformation data (col. 5, lines 5-15).

21. Regarding claim 5 and 31, in accordance with claims 4 and 30, respectively, Chang et al. teach service processing including the processing of user requirement... (col. 5, lines 24-40).

22. Regarding claims 6 and 32, in accordance with claims 5 and 31, respectively, Chang et al. teach a management unit including at least one database used to store user data.... (col. 15, lines 11-23). User data including user identification... (col. 16, lines 3-10).

23. Regarding claims 7 and 33, in accordance with claims 6 and 32, respectively, Chang et al. teach a management unit including:

- An authentication unit used to authenticate users... (col. 5, lines 49-51).

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- A record unit used to store service processing procedure... (col. 5, lines 24-40)
- An accounting unit used to account according the service shared... (col. 5, lines 24-40).
- An application unit existing in middleware form (col. 5 lines 41-49).

24. Regarding claims 8, 19, and 34, in accordance with claims 7, 1, and 33, respectively, Chang et al. teach wherein the terminal includes a computer, telephone... (col. 8, lines 11-21 and col. 6, line 67 – col. 7, line 12) and the user access transmission network includes a computer network, telecommunication network, and a broadcast/television network (col. 6, line 64 – col. 7, line 6 and col. 7, lines 29-42).

25. Regarding claims 9, 20, and 35, in accordance with claims 8, 19, and 34, respectively, Chang et al. teach a transmission network of service provider including a leased line network... (col. 7, line 66- col. 8, line 5).

26. Regarding claims 10 and 21, in accordance with claims 9 and 20, respectively, Chang et al. teach an access unit including an access information part, a multiple access processing part, and a gateway transformation part (col. 16, lines 35-49). The multiple access processing part receives input signal data...and the gateway transforms input signal and data... (col. 16, lines 50-58 and col. 16, lines 44-47).

27. Regarding claims 11 and 22, in accordance with claims 10 and 21, respectively, Chang et al. teach an access processing part including:

- PSTN/ISDN access module (col. 7, lines 53-65).
- A computer network access module (col. 7, lines 29-41).
- A television network access module (col. 11, lines 36-40).

It is deemed inherent for all modules to be capable of receiving a signal or data.

28. Regarding claims 12 and 23, in accordance with claims 11 and 22, respectively, Chang et al. teach a gateway transformation module including:

- A telephone/data module... (col. 7, lines 29-52 and col. 3, lines 10-45).
- A facsimile/data module... (col. 8, lines 14-16 and col. 3, lines 10-45).
- A data service module... (col. 7, lines 29-52 and col. 3, lines 10-45).

Regarding the transformations of signals, it is deemed inherent for each module to have the capability to transform the signals appropriate for that said module.

29. Regarding claims 13 and 36, in accordance with claims 12 and 35, respectively, Chang et al. teach the access unit existing in middleware form (col. 7, lines 29-42).

30. Regarding claims 14 and 37, in accordance with claims 1 and 28, respectively, Chang et al. teach the use of a preliminary processing part... (col. 19, lines 45-58).

31. Regarding claims 15 and 24, in accordance with claims 14 and 23, respectively, Chang et al. teach an integrated information service platform wherein the management unit includes:

- An information exchange part wherein the part exchanges data with the access and application units (col. 5, lines 42-61).
- A user management part that manages user and user attributes (col. 5, lines 24-31).
- An accounting management module used to perform accounting functions (col. 5, lines 16-23).

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- A network management module used to manage network equipment (col. 4, line 59 – col. 5, line 2).
- A system management module used to manage services (col. 10, line 51 – col. 11, line 8).
- A console management used to control and manage all management modules (col. 4, line 60 – col. 5, line 2).

32. Regarding claims 16 and 25, in accordance with claims 15 and 24, respectively, Chang et al. teach an application unit including:

- An information exchange part used to exchange data with access and application units (col. 5, lines 42-61).
- A basic application module used to provide multiple services... (col. 10, line 51 – col. 11, line 8).
- An outsourced application module used to provide management outsourced... (col. 5, lines 47-51).
- An application integrated module used to provide identification management... (col. 19, lines 45-58).
- A navigation and individualized module used to select personal service interface... (col. 5, lines 24-41) over voice (col. 3, lines 1-9) and the Internet (col. 4, lines 45-49).

33. Regarding claims 17 and 26, in accordance with claims 16 and 25, respectively, Chang et al. teach the use of an internal high speed bus (col. 13, lines 45-49).

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34. Regarding claims 18, 27, and 38, in accordance with claims 17, 26 and 37, respectively, Chang et al. teach the opportunity for users to connect with any platform and share the service provided... (col. 11, line 41 – col. 12, line 16).

35. Regarding claims 39 and 40, in accordance with claims 1 and 28, respectively, Chang et al. teach the use of the unique data format being IP data (col. 12, lines 50-56).

It is unclear to Examiner what the applicant refers to as IP data. For examination purposes, the acronym "IP" is interpreted as "Internet protocol."

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al. (U.S. 6,144,959) disclose a system and method for managing user accounts in a communication network.

Wheeler, Jr. et al. (U.S. 5,572,583) disclose an advanced intelligent network with intelligent peripherals interfaced to the integrated services control point.

Kay et al. (U.S. 5,247,571) disclose an area wide centrex provided in a telephone communication network having a plurality of interconnected central office switching systems.

Smyk (U.S. 6,161,128) discloses an internet based service control system that allows a telecommunications subscriber to modify telecommunications services through an Internet gateway.

Berteau (U.S. 5,423,003) discloses a system for managing distributed information system applications which employs an Advanced Intelligent Network.

Gessel et al. (U.S. 5,889,954) disclose a network manager providing advanced interconnection capability.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on Monday-Friday (8:30-6).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached at (571)272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703)308-5358.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [benjamin.ailes@uspto.gov].

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All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Group receptionist whose telephone number is (703)305-3900.

Benjamin Ailes
Patent Examiner
Art Unit 2142


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER